

U.S. DEPARTMENT OF COMMERCE  
Membership Balance Plan for the  
Regulations and Procedures Technical Advisory Committee

1. NAME. Regulations and Procedures Technical Advisory Committee (RPTAC)
2. AUTHORITY. The RPTAC is authorized by the Export Administration Act of 1979 (EAA), as amended 50 U.S.C. app. §§ 2401-2420 (2000)<sup>1</sup>.

3. MISSION/FUNCTION

The Committee will be consulted where a recognized need of the Department of Commerce exists with respect to questions involving: (1) technical specifications and policy relating to those matters that are of concern to the Department; (2) regulatory policy; (3) licensing procedures that affect the level of export controls applicable to items subject to the Export Administration Regulations; (4) revisions of the Commerce Control List, including proposed revisions of controls in which the United States participates; (5) the issuance of regulations; and (6) Any other questions relating to actions designed to carry out the policy set forth in Section 3(2)(A) of the Export Administration Act.

4. POINTS OF VIEW

The Regulations and Procedures Technical Advisory Committee (RPTAC) is composed of industry representatives and U.S. Government Agencies with specific technical or export control expertise. Industry members are qualified persons from large and small firms located throughout the country that are associated with the export of commodities and technical data that is subject to U.S. export controls.

Specific expertise of the Committee includes: telecommunications, aerospace, software, computers, engineering, compliance, instrumentation, and microprocessors.

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<sup>1</sup> Since August 21, 2001, the Export Administration Act has been in lapse and the President, through Executive Order 13222, of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of the August 8, 2013 (78 Fed. Reg. 490107 (Aug. 12, 2013)), has continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701 et seq.). BIS continues to carry out the provisions of the Export Administration Act, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222.

5. OTHER BALANCE FACTORS.

The work of the Committee affects all segments of industry that are regularly subject to export licensing requirements. Therefore, the Department will strive to develop a Committee that represents views of the various U.S. Government agencies responsible for administering export controls on a wide range of licensable items, as well as the views of large, medium, and small companies that are impacted by these export controls.

CANDIDATE IDENTIFICATION PROCESS

6. CANDIDATE IDENTIFICATION PROCESS

The Designated Federal Officer (DFO) solicits names from Committee members, other U.S. Government representatives, and a Notice of Recruitment of Private-Sector Members posted in the Federal Register. Additionally, the DFO will occasionally receive unsolicited nominations from industry representatives interested in serving on the Committee. The DFO evaluates the candidate for relevant technical expertise and experience. If the candidate has the required technical expertise and experience in an area that would benefit the Committee, the DFO prepares a justification for candidacy. Candidates are vetted through Lexis/Nexis and the Senate's registered lobbyist database, the Office of Export Enforcement and the Department's Office of White House Liaison. Once the vetting process is complete information is forwarded to the Office of Security for security clearance purposes. Formal letters of invitation to serve on the committee will be extended by the Secretary of Commerce.

If any vacancies occur during the Committee's tenure, the DFO will initiate another review process, as described above. Committee members shall not serve on the Committee for more than four consecutive years. Members who do not attend four consecutive Committee meetings will have their membership terminated.

7. SUBCOMMITTEE BALANCE.

The same process used to determine advisory committee member balance for the Federal advisory committee will be used for any subcommittees that may be created. Subcommittee members must also be approved by the Assistant Secretary for Export Administration.

8. OTHER.

Not applicable.

9. DATE PREPARED/UPDATED.

July 2014